

REMARKS

Claims 1, 2, 10 and 15 are amended herein. Claims 1-19 remain pending in the application.

Objection of Claims 1 and 5-8

Claims 1 and 5-8 were objected to for allegedly lacking antecedent basis for “said transmit path”.

Claim 1 is amended herein to correct the lack of antecedent basis for claim 1. Claims 5-8 are dependent on claim 1 and are corrected by the amendment to claim 1.

The Applicants respectfully request the objection to claims 1 and 5-8 be withdrawn.

Claims 1, 2, 9, 10 and 15 over Chamberlin in view of Villa-Real

In the Office Action, claims 1, 2, 9, 10 and 15 were rejected under 35 U.S.C. §103(a) as allegedly being obvious over Chamberlin, U.S. Patent No. 5,692,042 (“Sacca”) in view of D’Agosto III et al., U.S. Patent No. 4,790,002 (“D’Agosto”). The Applicants respectfully traverse the rejection.

Claims 1, 2 and 9 recite, *inter alia*, a user recorded message playback signal that is combined with a microphone signal for transmission over a telephone line such that a far end user will simultaneously hear the microphone signal and the user recorded message playback signal. Claims 10 and 15 recite, *inter alia*, playing back a voice message pre-recorded by a user on a speakerphone generating a playback message signal.

Chamberlin appears to disclose a modular dictation/transcription system comprised of a modular construction, i.e., composed of a set of modules which are detachably connectable to each other (Abstract). One of the modules includes a telephone module that has speakerphone capability (Chamberlin, col. 13, lines 29-31). The telephone module can function as a standalone telephone or interact in conjunction with a record/playback module and/or display module (Chamberlin, col. 13, lines 25-28). The record/playback module can enter into a

Record mode as soon as a telephone line is seized allowing remote transcription capability (Chamberlin, col. 14, lines 1-10).

The Office Action correctly acknowledged that Chamberlin fails to disclose recording a microphone signal while a microphone signal is combined with a message playback for transmitting to a far end user (Office Action, page 3). The Office Action relies on Villa-Real to allegedly make up for the deficiencies in Chamberlin to arrive at the claimed invention. The Applicants respectfully disagree.

Villa-Real appears to disclose a cordless musical extension telephone unit with programmable capabilities (Abstract). A singular or a plurality of respective data blocks relevant to future phone calls to be made can be entered into its memory so that when a call comes due, an integrated alarm system reminds a user to make the phone call without delay (Villa-Real, Abstract). The cordless musical extension telephone unit is capable of recording telephone conversations between calling parties, and in conjunction with this function, a synthesized intelligible voice is automatically announced informing the parties that the phone conversation is being recorded (Villa-Real, col. 2, lines 19-28; col. 12, line 57-col. 13, line 18).

The Office Action relies on Villa-Real to disclose playing back a pre-recorded advisory message during a telephone conversation when a conversation recording button is activated (Office Action, page 3). However, the claims fail to recite playing back a pre-recorded advisory message during a telephone conversation when a conversation recording button is activated. The claims recite a user recorded message playback signal and a voice message pre-recorded by a user. A synthesized intelligible voice is **NOT** a user recorded message playback signal and a voice message pre-recorded by a user, as recited by claims 1, 2, 9, 10 and 15.

Moreover, Villa-Real fails to even mention a speakerphone, much less playing back a voice message pre-recorded by a user on a speakerphone generating a playback message signal, as recited by claims 10 and 15.

Neither Chamberlin nor Villa-Real, either alone or in combination, disclose, teach or suggest a user recorded message playback signal that is

combined with a microphone signal for transmission over a telephone line such that a far end user will simultaneously hear the microphone signal and the user recorded message playback signal, and playing back a voice message pre-recorded by a user on a speakerphone generating a playback message signal, as recited by claims 1, 2, 9, 10 and 15.

Accordingly, for at least all the above reasons, claims 1, 2, 9, 10 and 15 are patentable over the prior art of record. It is therefore respectfully requested that the rejection be withdrawn.

Claims 3-5, 11-13 and 16-18 over Chamberlin in view of Villa-Real and Li

In the Office Action, claims 3-5, 11-13 and 16-18 were rejected under 35 U.S.C. §103(a) as allegedly being obvious over Chamberlin in view of Villa-Real, and further in view of Li, U.S. Patent No. 5,612,996 ("Li"). The Applicants respectfully traverse the rejection.

The Applicant respectfully suggest that the need to combine as many as three (3) separate patents to allegedly arrive at the presently claimed invention is evidence of the non-obviousness of the present invention.

Claims 3-5, 11-13 and 16-18 are dependent on claims 1, 10 and 15 respectively, and are allowable for at least the same reasons as claims 1, 10 and 15.

Claims 3-5 recite, *inter alia*, a user recorded message playback signal that is combined with a microphone signal for transmission over a telephone line such that a far end user will simultaneously hear the microphone signal and the user recorded message playback signal. Claims 11-13 and 16-18 recite, *inter alia*, playing back a voice message pre-recorded by a user on a speakerphone generating a playback message signal.

As discussed above, neither Chamberlin nor Villa-Real, either alone or in combination, disclose, teach or suggest a user recorded message playback signal that is combined with a microphone signal for transmission over a telephone line such that a far end user will simultaneously hear the microphone signal, and the user recorded message playback signal and playing back a voice

message pre-recorded by a user on a speakerphone generating a playback message signal, as recited by claims 3-5, 11-13 and 16-18.

As discussed above, neither Chamberlin nor Villa-Real, either alone or in combination, disclose, teach or suggest a user recorded message playback signal that is combined with a microphone signal for transmission over a telephone line such that a far end user will simultaneously hear the microphone signal, and the user recorded message playback signal and playing back a voice message pre-recorded by a user on a speakerphone generating a playback message signal, as recited by claims 3-5, 11-13 and 16-18.

The Office Action relies on Li to allegedly make up for the deficiencies in Chamberlin and Villa-Real to arrive at the claimed invention. The Applicants respectfully disagree.

Li appears to disclose a loop gain processing scheme for a speakerphone (Abstract). A system loop gain is determined according to two echo feedback paths within the speakerphone system (Li, Abstract). Li teaches the prior art had used a gain module comprised of an automatic gain control in conjunction with a receive channel gain adjustment (Li, Fig. 1; col. 3, lines 44-52).

Li discloses gain control for a speakerphone. Li fails to even disclose performing a playing a recorded message, much less disclose or suggest a user recorded message playback signal that is combined with a microphone signal for transmission over a telephone line such that a far end user will simultaneously hear the microphone signal and the user recorded message playback signal, and playing back a voice message pre-recorded by a user on a speakerphone generating a playback message signal, as recited by claims 3-5, 11-13 and 16-18.

Neither Chamberlin, Villa-Real nor Li, either alone or in combination, disclose, teach or suggest a user recorded message playback signal that is combined with a microphone signal for transmission over a telephone line such that a far end user will simultaneously hear the microphone signal and the user recorded message playback signal, and playing back a voice

message pre-recorded by a user on a speakerphone generating a playback message signal, as recited by claims 3-5, 11-13 and 16-18.

Accordingly, for at least all the above reasons, claims 3-5, 11-13 and 16-18 are patentable over the prior art of record. It is therefore respectfully requested that the rejection be withdrawn.

Claims 6-8, 14 and 19 over Chamberlin in view of Villa-Real, Li and Sacca

In the Office Action, claims 6, 7, 14 and 19 were rejected under 35 U.S.C. §103(a) as allegedly being obvious over Chamberlin in view of Villa-Real and Li, and further in view of Sacca, U.S. Patent No. 5,692,042 ("Sacca"), with claim 8 rejected under 35 U.S.C. §103(a) as allegedly being obvious over Chamberlin in view of Villa-Real, and further in view of Sacca. The Applicants respectfully traverse the rejection.

The Applicants respectfully suggest that the need to combine as many as four (4) separate patents to allegedly arrive at the presently claimed invention is evidence of the non-obviousness of the present invention.

Claims 6-8, 14 and 19 are dependent on claims 1, 10 and 15 respectively, and are allowable for at least the same reasons as claims 1, 10 and 15.

Claims 6-8 recite, *inter alia*, a user recorded message playback signal that is combined with a microphone signal for transmission over a telephone line such that a far end user will simultaneously hear the microphone signal and the user recorded message playback signal. Claims 14 and 19 recite, *inter alia*, playing back a voice message pre-recorded by a user on a speakerphone generating a playback message signal.

As discussed above, neither Chamberlin, Villa-Real nor Li disclose or suggest a user recorded message playback signal, much less a user recorded message playback signal that is combined with a microphone signal for transmission over a telephone line such that a far end user will simultaneously hear the microphone signal and the user recorded message playback signal, and playing back a voice message pre-recorded by a user on a speakerphone generating a playback message signal, as recited by claims 6-8, 14 and 19.

The Office Action relies on Sacca to allegedly make up for the deficiencies in Chamberlin, Villa-Real and Li to arrive at the claimed invention. The Applicants respectfully disagree.

Sacca appears to disclose a speakerphone which employs non-linear amplifiers to compress transmit and receive signal (Abstract). Level detectors determine levels of the compressed transmit and receive signal (Sacca, Abstract). Selector switches permit the connection of a combined source signal and a signal from a handset microphone for transmission to a telephone line (Sacca, col. 8, lines 39-43). The combined source signal carries one or more alternate signal sources, e.g., tape playback, tones, synthesized speech, etc. for transmission over the telephone line (Sacca, col. 8, lines 43-49).

Sacca discloses a combined source signal comprising one or more alternate signal sources, e.g., tape playback, tones, synthesized speech, etc. for transmission over the telephone line. Sacca fails to disclose or suggest a user recorded message playback signal that is combined with a microphone signal for transmission over a telephone line such that a far end user will simultaneously hear the microphone signal and the user recorded message playback signal, and playing back a voice message pre-recorded by a user on a speakerphone generating a playback message signal, as recited by claims 6-8, 14 and 19.

Neither Chamberlin, Villa-Real, Li nor Sacca, either alone or in combination, disclose, teach or suggest a user recorded message playback signal that is combined with a microphone signal for transmission over a telephone line such that a far end user will simultaneously hear the microphone signal and the user recorded message playback signal, and playing back a voice message pre-recorded by a user on a speakerphone generating a playback message signal, as recited by claims 6-8, 14 and 19.

Accordingly, for at least all the above reasons, claims 6-8, 14 and 19 are patentable over the prior art of record. It is therefore respectfully requested that the rejection be withdrawn.

Claim 1 over Villa-Real in view of Sacca

In the Office Action, claim 1 was rejected under 35 U.S.C. §103(a) as allegedly being obvious over Villa-Real in view of Sacca. The Applicants respectfully traverse the rejection.

Claim 1 recites, *inter alia*, a user recorded message playback signal that is combined with a microphone signal for transmission over a telephone line such that a far end user will simultaneously hear the microphone signal and the user recorded message playback signal.

The Office Action relies on Villa-Real to disclose playing back a pre-recorded advisory message during a telephone conversation when a conversation recording button is activated. However, the claims fail to recite playing back a pre-recorded advisory message during a telephone conversation when a conversation recording button is activated. The claims recite a user recorded message playback signal and a voice message pre-recorded by a user. A synthesized intelligible voice is **NOT** a user recorded message playback signal, as recited by claim 1.

The Office Action relies on Sacca to allegedly make up for the deficiencies in Villa-Real to arrive at the claimed invention. The Applicants respectfully disagree.

As discussed above, Sacca discloses a combined source signal comprising one or more alternate signal sources, e.g., tape playback, tones, synthesized speech, etc. for transmission over the telephone line. Sacca fails to disclose or suggest a user recorded message playback signal that is combined with a microphone signal for transmission over a telephone line such that a far end user will simultaneously hear the microphone signal and the user recorded message playback signal, as recited by claim 1.

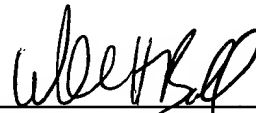
Neither Villa-Real nor Sacca, either alone or in combination, disclose, teach or suggest a user recorded message playback signal that is combined with a microphone signal for transmission over a telephone line such that a far end user will simultaneously hear the microphone signal and the user recorded message playback signal, as recited by claim 1.

Accordingly, for at least all the above reasons, claim 1 is patentable over the prior art of record. It is therefore respectfully requested that the rejection be withdrawn.

Conclusion

All objections and rejections having been addressed, it is respectfully submitted that the subject application is in condition for allowance and a Notice to that effect is earnestly solicited.

Respectfully submitted,



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